

THE CITY OF CLAYTON

Board of Aldermen
City Hall – 10 N. Bemiston Avenue
August 23, 2016
7:00 p.m.

Minutes

Mayor Sanger called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Cynthia Garnholz, Mark Winings, Joanne Boulton, Alex Berger III, Rich Lintz and Ira Berkowitz.

Mayor Sanger
City Manager Owens
City Attorney O'Keefe

Alderman Boulton moved to approve the July 26, 2016 and August 1, 2016 minutes. Alderman Winings seconded.

The motion to approve the minutes passed unanimously on a voice vote.

PUBLIC REQUESTS AND PETITIONS

None

AN ORDINANCE ADOPTING A SPECIAL DEVELOPMENT SUBDISTRICT FOR THE PROPERTY ADDRESSED 8125 FORSYTH BOULEVARD

City Manager Owens reported that on July 12, 2016, this request was presented to the Board of Aldermen and subsequently continued to this meeting. Since that time, staff has met with the applicant multiple times in continued discussion and review of the additional items submitted by the applicant. At this time staff is recommending that the Board of Aldermen table the item to the meeting of September 13, 2016.

Alderman Garnholz moved to table until the September 13, 2016 Board of Aldermen meeting. Alderman Winings seconded.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER APPROVING THE VACATION OF A PORTION OF AN UNNAMED ALLEY AND A PORTION OF CARONDELET PLAZA RIGHT-OF-WAY

Alderman Winings recused himself from the meeting.

City Manager Owens reported Hanley-Forsyth, LLC has requested the vacation of a portion of an unnamed fifteen (15) feet wide public Alley and a portion of Carondelet Plaza right-of-way (formerly known as "Carondelet Avenue"), a public street. A copy of the petition is attached. These vacations are necessary to facilitate the Consolidation Plat for the new Centene development.

The portion of unnamed public Alley requested for vacation is no longer needed as an alley, and the portion of Carondelet Plaza requested for vacation is no longer used as a street. No private rights will be injured or endangered by such vacations, and the public will suffer no loss or inconvenience thereby; however, a temporary utility easement should be reserved to the City over the Carondelet Plaza right-of-way, for the purpose of constructing, reconstructing, maintaining, repairing, inspecting, and using utilities, including by way of example, but

not limited to, sewer, water, gas, electricity, and telephone. This easement will be released after the utilities are removed and relocated.

Recommendation is to approve the ordinance vacating a portion of an unnamed fifteen (15) feet wide public Alley and a portion of Carondelet Plaza right-of-way (formerly known as "Carondelet Avenue"), but reserving a temporary utility easement to the City over the Carondelet Plaza right-of-way.

Alderman Garnholz introduced Bill No. 6567, an ordinance providing for the vacation of a portion of an unnamed alley and a portion of right-of-way (Carondelet Plaza) within Hanley's re-subdivision of blocks 6, 7, 8, 9 and 20 of Hanley's addition to Clayton as recorded in Plat Book 7 pages 62 at the St. Louis County Recorder of Deeds to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6567, an Ordinance Providing for the Vacation of a Portion of an Unnamed Alley and a Portion of Right-Of-Way (Carondelet Plaza) Within Hanley's Re-subdivision of Blocks 6, 7, 8, 9 and 20 of Hanley's Addition to Clayton as Recorded in Plat Book 7 Pages 62 at the St. Louis County Recorder of Deeds for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Garnholz introduced Bill No. 6567, an ordinance providing for the vacation of a portion of an unnamed alley and a portion of right-of-way (Carondelet Plaza) within Hanley's re-subdivision of blocks 6, 7, 8, 9 and 20 of Hanley's addition to Clayton as recorded in Plat Book 7 pages 62 at the St. Louis County Recorder of Deeds to be read for the second time by title only. Alderman Boulton seconded.

Alderman Garnholz move that the Board give unanimous consent to consideration for adoption of Bill No. 6567 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

City Attorney O'Keefe reads Bill No. 6567, an Ordinance Providing for the Vacation of a Portion of an Unnamed Alley and a Portion of Right-Of-Way (Carondelet Plaza) Within Hanley's Re-subdivision of Blocks 6, 7, 8, 9 and 20 of Hanley's Addition to Clayton as Recorded in Plat Book 7 Pages 62 at the St. Louis County Recorder of Deeds for the second time by title only.

Alderman Garnholz – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6436 of the City of Clayton.

Alderman Winings rejoined the meeting.

AN ORDINANCE TO CONSIDER APPROVING A CONTRACT WITH GERSHENSON CONSTRUCTION COMPANY, INC. FOR THE SHAW PARK UTILITY RELOCATION PROJECT

City Manager Owens reported that bid documents for the Shaw Park Utility Relocation Project were issued for work that involves the relocation of utilities that needs to take place prior to the start of the construction of Chapman Plaza and the associated gardens, waterfall and pond.

Funding for this project will come from private donations secured by the Clayton Century Foundation, paid through the City's Capital Fund.

Recommendation is to approve the ordinance authorizing the execution of a contract with Gershenson Construction Company, Inc. in the amount of \$297,775, plus a contingency of \$30,000 for the Shaw Park Utility Relocation Project.

Alderman Garnholz introduced Bill No. 6568, an Ordinance Approving a Contract With Gershenson Construction Company, Inc. for the Shaw Park Utility Relocation Project to be read for the first time by title only. Alderman Winings seconded.

City Attorney O’Keefe reads Bill No. 6568, an Ordinance Approving a Contract With Gershenson Construction Company, Inc. for the Shaw Park Utility Relocation Project for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Garnholz moved that the Board give unanimous consent to consideration for adoption of Bill No. 6568 on the day of its introduction. Alderman Winings seconded.

The motion passed unanimously on a voice vote.

Alderman Garnholz introduced Bill No. 6568, an Ordinance Approving a Contract With Gershenson Construction Company, Inc. for the Shaw Park Utility Relocation Project to be read for the second time by title only. Alderman Winings seconded.

City Attorney O’Keefe reads Bill No. 6568, an Ordinance Approving a Contract With Gershenson Construction Company, Inc. for the Shaw Park Utility Relocation Project for the second time by title only.

Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6437 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING A CONTRACT WITH PERFECTMIND FOR RECREATION MANAGEMENT SOFTWARE

City Manager Owens reported that a Request for Proposals for Recreation Management Software due to the current software, Class Software Solutions, is nearing its end of life and will not be replaced by its parent company, *Active Network*. Proposals were submitted from four companies – *Maximum Solutions, Inc.*, *Perfect Mind*, *Rec1* and *RecTrac*. After review of the proposals, *Perfect Mind* was determined that it is a more comprehensive system that is capable of expansion to meet future needs. The ease and flexibility of this software will allow the department to provide excellent customer service to our clients in person, on the phone and online. *Perfect Mind’s* philosophy of “only three clicks” for a sale makes the registration process user-friendly for both Welcome Desk employees, as well as customers using on-line registration. *Perfect Mind* will also give the department an opportunity to simplify work processes and decrease the amount of time and cost of staff training.

Staff anticipates that there will be a reduction in expense due to *PerfectMind’s* ability to save on paper, postage and training. Staff also estimates that there will be increased revenue of approximately \$12,000 through the reduction of returned monthly drafts (*Perfect Mind* automatically attempts to re-draft members up to four times to collect funds). Fees for this contract will be paid out of the City’s General Fund as well as the Center of Clayton’s Operating Fund with the City paying 25% and the Center paying 75% based upon the percentage of revenue collected.

Staff recommends entering into a contract with *PerfectMind* for recreation management software for a five year term.

In response to Mayor Sanger’s question, City Manager Owens confirmed that the software program will be used by the City of Clayton and not the School District.

Alderman Berger commented that a presentation was given by staff at the Clayton Recreation Sports and Wellness Commission (CRSWC) meeting and that the Commission visions the new software as an advantage for the Center and for the staff.

In response to Alderman Lintz' question, Patty DeForrest stated that the contract includes a flat fee for the next five years for the usage of the software. Any additional fees would be for new (or additional) modules which at this point she does not anticipate a need.

Alderman Garnholz introduced Bill No. 6569, an Ordinance approving a Contract with *PerfectMind* to Provide Recreation Management Software for the Department of Parks and Recreation to be read for the first time by title only. Alderman Winings seconded.

City Attorney O'Keefe reads Bill No. 6569, an Ordinance approving a Contract with *PerfectMind* to Provide Recreation Management Software for the Department of Parks and Recreation in the City of Clayton for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Garnholz moved that the Board give unanimous consent to consideration for adoption of Bill No. 6569 on the day of its introduction. Alderman Winings seconded.

The motion passed unanimously on a voice vote.

Alderman Garnholz introduced Bill No. 6569, an Ordinance approving a Contract with *PerfectMind* to Provide Recreation Management Software for the Department of Parks and Recreation to be read for the second time by title only. Alderman Winings seconded.

City Attorney O'Keefe reads Bill No. 6569, an Ordinance approving a Contract with *PerfectMind* to Provide Recreation Management Software for the Department of Parks and Recreation in the City of Clayton for the second time by title only.

Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6438 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING A TASK ORDER IN ACCORDANCE WITH THE 2016-2019 CITY OF CLAYTON ON-CALL CONTRACT WITH HORNER & SHIFRIN, INC. FOR DESIGN SERVICES RELATED TO FY2017 RESIDENTIAL RESURFACING PROJECT

City Manager Owens reported that the Public Works Department is requesting approval of a consultant design Task Order for the FY2017 Residential Resurfacing Project. This project will include the below improvements for the Wydown Forest, Moorlands, and Hillcrest neighborhoods as approved in the 2014 Bond Issue.

This project will include replacement of 141 curb ramps that are not compliant with current federal ADA requirements, the replacement of substandard curb & gutter, minimal storm sewer installation, base repair where necessary, and the removal and replacement of two inches of asphalt surface.

Public works staff has recommended Horner & Shifrin, Inc. from the City's 2016-2019 On-Call Consultant List to perform this work and have negotiated the attached Task Order scope and fee. This design will include 38 previously designed curb ramps (by Horner & Shifrin) for the Hillcrest neighborhood (which was delayed to 2017 at the request of the residents).

Public Works is requesting approval of the design fee of \$113,411.00 in addition to a design contingency of \$11,300 (~10%) for utilization in the event of unforeseen circumstances, upon approval by the Director of Public Works. This project is included in the FY2016-FY2017 CIP budget and there are sufficient funds for this project.

Recommendation is to approve the Task Order (#1) with Horner & Shifrin, Inc. in the amount of \$113,411.00, plus a design contingency of \$11,300 (total of \$124,711.00) for the design of the FY2017 Residential Resurfacing Project.

In response to Mayor Sanger's question, City Manager Owens stated that the contract is for the design work only; Dale Houdeshell added that the work will begin in Spring 2017.

Alderman Garnholz introduced Bill No. 6570, an Ordinance Approving a Task Order in Accordance with the 2016-2019 City of Clayton On-Call Contract with Horner & Shifrin, Inc. for Design Services Related to FY2017 Residential Resurfacing Project to be read for the first time by title only. Alderman Winings seconded.

City Attorney O'Keefe reads Bill No. 6570, an Ordinance Approving a Task Order in Accordance with the 2016-2019 City of Clayton On-Call Contract with Horner & Shifrin, Inc. for Design Services Related to FY2017 Residential Resurfacing Project for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Garnholz moved that the Board give unanimous consent to consideration for adoption of Bill No. 6570 on the day of its introduction. Alderman Winings seconded.

The motion passed unanimously on a voice vote.

Alderman Garnholz introduced Bill No. 6570, an Ordinance Approving a Task Order in Accordance with the 2016-2019 City of Clayton On-Call Contract with Horner & Shifrin, Inc. for Design Services Related to FY2017 Residential Resurfacing Project to be read for the second time by title only. Alderman Winings seconded.

City Attorney O'Keefe reads Bill No. 6570, an Ordinance Approving a Task Order in Accordance with the 2016-2019 City of Clayton On-Call Contract with Horner & Shifrin, Inc. for Design Services Related to FY2017 Residential Resurfacing Project for the second time by title only.

Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6439 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING THE THIRD QUARTER AMENDMENT TO THE FISCAL YEAR 2016 BUDGET

Janet Watson reported that the City of Clayton reviews and makes adjustments to its budgeted revenues and expenditures on a quarterly basis to respond to changes as the fiscal year progresses and to update the Board regarding budgetary issues. As part of the quarterly budget review, staff is presenting for your consideration the third amendment to the Fiscal Year 2016 (FY16) budget. This amendment consists of various aspects, increases and decreases to General Fund accounts, equipment replacement changes and adjustments to capital projects due to bid results and timing including the transfer of funds for construction.

The items included in this amendment are as follows:

General Fund

Revenue – Net Increase of \$14,500

- Parks & Recreation Revenue – There were strong daily admission sales this year above the amount planned by \$6,500 at the ice rink, and by \$8,000 for Dog Park passes due to opening admission to non-residents.

Expenditures – Net Decrease of \$152,254

- Planning & Development – The City has contracted with an external firm for plan review to prevent delays in project review. The cost for this work for the remainder of this fiscal year is projected to be \$49,000.

- Economic Development & Events – Expenditures were less than planned in the following areas: Staff workload precluded attending planned training for \$3,500, meetings and receptions were less than expected by \$1,000 and there was less event expenditures of \$30,000 due to staff turnover and due to the Symphony event not occurring.
- Fire – There is increased overtime needed of \$26,000 due to illness and injury, and there was a second new hire which added costs of \$7,146 for testing and the purchase of uniforms and gear.
- Ice Rink – Maintenance and repair of structures of \$5,000 and equipment of \$15,500 were less than planned.
- Street Maintenance – Expenditures were less than planned for part-time salaries of \$15,700, maintenance and repair of structures of \$10,000, snow and ice control materials of \$27,000 and crack sealing of \$6,700. Also, injections for Emerald Ash Borer of \$50,000 planned for this year will not occur until next year since the City has joined a consortium of cities for joint purchasing of these services to gain better bid pricing.
- Fleet – Fuel was lower by \$70,000 due to reduced petroleum costs.

Equipment Replacement Fund

Revenue – Net Decrease of \$30,700

- Sale of Assets – There will be a reduction in planned revenue of \$35,700 due to the City's analysis and election to keep the second fire pumper as a shared reserve vehicle. This reduction is partially offset by the receipt of approximately \$5,000 from the sale of a second parking vehicle.

Expenditures – Net Increase of \$37,000

- Vehicles and Equipment – A parking vehicle replacement of \$37,000 is being moved up to purchase a second Jeep this year in an effort to coordinate with the implementation of the new parking system and policies and due to continuing maintenance issues.

Capital Improvement Fund

Revenue – Net Decrease of \$1,339,832

- Bond Transfers-in – Less bond proceeds will need to be transferred-in this year due to positive bid results and the timing of construction for a total reduction of \$1,339,832.

Expenditures – Net Decrease of \$1,539,832

- Oak Knoll Park – The retaining wall and parking lot project construction will not occur until next fiscal year resulting in a reduction of \$200,000 this year.
- Street Resurfacing and Alley Improvements – The bond funded resurfacing projects of Carondelet Plaza of \$688,000, FY16 Resurfacing of \$534,357 which now includes Carondelet resurfacing, and Alley Improvements of \$47,475 are being reduced due to positive bid amounts, combining projects and the timing of projects between fiscal years. Two other projects are being reduced due to the project design only being partially complete this fiscal year which are the FY17 Street Resurfacing and Brentwood Blvd. projects of \$20,000 and \$50,000, respectively.

Debt Service Fund

Expenditure – Net Decrease of \$1,339,832

- Bond Transfers-out – Less bond proceeds will need to be transferred-out this year due to positive bid results and the timing of construction for a total reduction of \$1,339,832.

Recommendation is to approve the attached ordinance adopting an amendment to the FY16 budget with a net effect on the City's fund balances of a net decrease of \$1,638,886.

Alderman Boulton commended Janet Watson and staff on a good report and inquired about the next financial report. Ms. Watson responded that the financial report will be presented at the Board's next meeting.

Alderman Garnholz introduced Bill No. 6571, an Ordinance Amending the Fiscal Year 2016 Budget and Appropriating Funds Pursuant Thereto to be read for the first time by title only. Alderman Winings seconded.

City Attorney O’Keefe reads Bill No. 6571, an Ordinance Amending the Fiscal Year 2016 Budget and Appropriating Funds Pursuant Thereto for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Garnholz moved that the Board give unanimous consent to consideration for adoption of Bill No. 6571 on the day of its introduction. Alderman Winings seconded.

The motion passed unanimously on a voice vote.

Alderman Garnholz introduced Bill No. 6571, an Ordinance Amending the Fiscal Year 2016 Budget and Appropriating Funds Pursuant Thereto to be read for the second time by title only. Alderman Winings seconded.

City Attorney O’Keefe reads Bill No. 6571, an Ordinance Amending the Fiscal Year 2016 Budget and Appropriating Funds Pursuant Thereto for the second time by title only.

Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6440 of the City of Clayton.

**A PUBLIC HEARING AND RESOLUTION TO CONSIDER APPROVING A CONDITIONAL USE PERMIT–
THE EXERCISE COACH (FITNESS/PERSONAL TRAINING STUDIO) 8500 MARYLAND AVENUE – 1ST
FLOOR**

Mayor Sanger opened the public hearing and requested proof of publication.

City Manager reported that this is a public hearing to consider approving a Conditional Use Permit to allow the operation of a personal training facility at 8500 Maryland Avenue.

On May 12, 2015, the Board of Aldermen approved a Planned Unit Development for the construction of a 273,500 square foot (including 4,526-square-feet of ground floor retail use), five-story building located on top of a two-level, partially below grade parking structure. The building, known as Vanguard Clayton, is currently under construction.

On June 30, 2016, Don Eisenberg, owner/operator of Eisenberg Training, LLC, submitted an application for a Conditional Use Permit to allow the operation of a 1,457-square-foot personal training/fitness center to be known as The Exercise Coach at the northeast corner of the ground floor of the building fronting Maryland Avenue. The business will offer indoor, one-on-one and small group personal training. The maximum number of clients at one time typically does not exceed five. In addition to personal training services, the business will sell fitness-related products such as health and nutrition guides, vitamin supplements, energy bars and clothing, thereby satisfying the requirement for first floor retail in the Planned Unit Development. The proposed hours of operation are 6:00 a.m. to 8:00 p.m. Monday through Friday, and 7:00 a.m. to 1:00 p.m. on Saturday.

The Plan Commission considered this request at their July 18, 2016, meeting and voted unanimously to recommend approval under the condition that all activity associated with the business take place inside the building.

Recommendation is to conduct a public hearing and approve a Conditional Use Permit pursuant to the conditions contained in the Resolution.

Don Eisenberg, owner, addressed the Board stating that he is very excited to be in Clayton. He has two other locations, Webster Groves and Town and Country and has been in business for about 16 years.

In response to Alderman Lintz' question, Mr. Eisenberg stated that the facility will offer one-on-one training to its clients and/or small group training. He anticipates that the Vanguard Development will be complete by the end of 2017 at which time the facility will open.

Mayor Sanger closed the public hearing.

Alderman Garnholz moved to approve Resolution No. 16-18, a Conditional Use Permit for 8500 Maryland Avenue – The Exercise Coach. Alderman Winings seconded.

The motion passed unanimously on a voice vote.

AN ORDINANCE SETTING THE TAX YEAR 2016 PROPERTY TAX LEVIES FOR FISCAL YEAR 2017 BUDGET AND TO HOLD A PUBLIC HEARING- 1st READING

Mayor Sanger opened the public hearing and requested proof of publication.

City Manager Owens reported that as part of the property tax levy process, the Board is holding a public hearing to seek public input on the proposed tax rates. The proposed calendar year 2016 property tax levy recommendations for Budget Year 2017 has been provided in the Board packet for review.

Janet Watson gave a brief summary reporting that each year the City must approve property tax levies which are then submitted to St. Louis County for billing. Calendar year 2016 is not a reassessment year. The City is allowed to receive additional revenue up to the Consumer Price Index (CPI) which was only 0.7% for this year, and for the value of new construction which was up this year.

The property tax levy process is somewhat complex in that as assessments increase the City is not allowed to gain any more revenue. Therefore the maximum tax rates we are allowed to levy actually lower or "roll back" to generate no more revenue than the past year. The only ability to gain revenue is through growth in the CPI, new construction, and through recoupment of taxes from successful protests that have been resolved in the past year.

The City is addressing the recoupment process this year due to the significant revenue lost through successful protests over the past few years. In each year, the City is allowed to "recoup" the lost revenue which was due to assessed valuation reduction through the protests adjudicated by the Missouri State Tax Commission. The City is allowed to increase the levies to generate the revenue lost in the last year only. The Clayton School District has used this recoupment process for several years. This recoupment process is the only method for the City to receive the amount of taxes that has been refunded to property owners in the last year through the protest process.

Thus the City's maximum levies this year are projected to generate the amount of revenue from the previous year, plus CPI and revenue related to new construction, plus the recoupment process we are incorporating this year. These levies as presented are subject to change by the Board of Equalization and through the Missouri State Auditor's certification process, therefore there is the potential for them to change slightly when they are presented to the Board for final passage.

In response to Mayor Sanger's question if someone is successful in getting a property tax reduction than that reduction is spread across the city to everyone else as in increase to make up for that loss. Ms. Watson confirmed, yes.

In response to Alderman Boulton's question, Ms. Watson also confirmed that this would be the first time that the City will go through the recoupment process and added that the City has had a significant loss (tax) in the last three years.

In response to Alderman Lintz' question, Ms. Watson stated that the City could recoup approximately \$450,000, which the numbers could change pending the State auditor's review.

In response to Alderman Berkowitz's question, Ms. Watson stated that the commercial property owners would most likely see a difference in their tax bills versus a very small number of residential property owners.

City Attorney O'Keefe added that we might consider that tax payers had an "artificially" lower rate when the unchallenged assessments were involved in the calculations in years past. The rate(s) would have been higher had the assessed value had not come down after we set our tax rates.

Jan Spalding, 8025 Maryland, addressed the Board asking with regard to the recoupment what the average increase to residential (per unit) owners would be. Ms. Watson stated that for example, a home valued at \$600,000, based on last year's rate, the homeowner would pay approximately \$12 more than last year.

Mayor Sanger closed the public hearing.

Alderman Garnholz introduced Bill No. 6572, an Ordinance Levying and Establishing the Rate of Annual Taxes for General Municipal Purposes; Police Building Debt Service; General Obligation Debt Service; and, Special Business District Purposes to be Collected by the City Of Clayton, Missouri, for the Year 2016 to be read for the first time by title only. Alderman Winings seconded.

City Attorney O'Keefe reads Bill No. 6572, an Ordinance Levying and Establishing the Rate of Annual Taxes for General Municipal Purposes; Police Building Debt Service; General Obligation Debt Service; and, Special Business District Purposes to be Collected by the City Of Clayton, Missouri, for the Year 2016 to be read for the first time by title only.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER APPROVING THE PROPOSED FY2017 OPERATING AND CAPITAL IMPROVEMENTS BUDGET AND TO HOLD A PUBLIC HEARING – 1ST READING

Mayor Sanger opened the public hearing and requested proof of publication.

City Manager Owens reported that on July 1st, the Board of Aldermen received the City Manager's proposed Fiscal Year 2017 Operating and Capital Improvements Budget. As part of the budget process, the Board is required to hold a public hearing to seek public input prior to formal budget adoption.

Janet Watson reported that there are a few changes to the proposed budget and they are summarized on the attached reconciliation. In the General Fund, we have adjusted the budget for additional plan review services, the new parking system costs and related revenue, added revenue from a lease agreement, and have moved the Emerald Ash Borer injections from FY 2016 to FY 2017. These changes created a small deficit of less than \$11,000 in the General Fund, therefore to provide a balanced budget we have reduced the ERF contribution from the General Fund by \$11,000. To keep the ERF fully funded we have reallocated \$11,000 of property proceeds from the Capital Improvement Fund to the ERF. Regarding capital items, the parking control vehicle purchases have been adjusted by year, and three bond-funded capital projects and a sidewalk project have been revised either due to final bid results, combining projects or timing.

We believe the proposed budget maintains the extraordinary level and proficiency of service that has been expected by our residents and traditionally provided by the City. The Board of Aldermen has studied this proposed budget and the public has had opportunity for input.

Recommendation is to conduct a public hearing and adopt the Fiscal Year 2017 Operating and Capital Improvements Budget as presented in the proposed budget, adjusted by the reconciliation attached to this ordinance.

In response to Alderman Boulton's question regarding the Emerald Ash Borer, Dale Houdeshell confirmed that they are working with other cities on this issue.

Alderman Berger stated that the FY 2017 contribution amount proposes \$10,000 for the St. Louis Art Fair, the same amount as last year and has been the amount for a number of years previously. The Event Goals listed in the Clayton Special Events FY 2017 document distributed to the Board in April were retail and restaurant, sales, pedestrian traffic and good attendance, brand building and place making, engaged event participants, and benefits the Special Business District. The list of events being proposed to receive cash increases for FY 2017 are the Halloween City Hall, Shop Clayton, Cards home opener lunch, Clayton summer kickoff, and Craft on Tap. The Clayton Music and Wine Festival special event is budgeted at no increase, but however this one evening event receives more total expenditure than the three day Art Fair.

The Board of the Art Fair has approved the initiation of two fund raising campaigns to begin after this year's Art Fair. These campaigns are being initiated because the organization is in need of a better financial base.

In 2015, Clayton's cash contribution and in kind payments for staff time accounted for less than 8% of the Art Fair's operating budget. We all are very thrilled to have this nationally recognized special event in our downtown.

The specific benefit created by an increase in the City's cash contribution will enable the Art Fair to successfully initiate their fund raising campaign which will enable the organization to continue to operate this top electric visual arts event in our City.

Alderman Berger moved to amend the FY2017 Operating Budget to increase the Special Events budget by \$5,000 to award the St. Louis Art Fair special event with a cash contribution of \$15,000.

In response to Mayor Sanger's question, Janet Watson confirmed that the recoupment of the property tax is expected in 2017.

Alderman Boulton seconded the motion to amend.

The motion to amend passed on a 6 –Aye to 1 – Nay (Alderman Lintz) vote.

Alderman Garnholz introduced Bill No. 6573, an ordinance as amended Adopting an Annual Budget for Fiscal year 2017 Commencing on October 1, 2016 and Appropriating Funds Pursuant Thereto to be read for the first time by title only. Alderman Winings seconded.

City Attorney O'Keefe reads Bill No. 6573, an ordinance as amended Adopting an Annual Budget for Fiscal year 2017 Commencing on October 1, 2016 and Appropriating Funds Pursuant Thereto for the first time by title only.

The motion to passed unanimously on a voice vote.

A PUBLIC HEARING AND AN ORDINANCE TO CONSIDER APPROVING A MAJOR SUBDIVISION PLAT FOR 7630, 7632, 7636 & 7642 FORSYTH BOULEVARD; 12, 14, 20 AND A PORTION OF 106 SOUTH HANLEY ROAD

Mayor Sanger opened the public hearing and requested proof of publication.

Alderman Winings recused himself from the meeting.

City Manager Owens reported that this is a public hearing and subsequent ordinance to consider approving a major subdivision plat. The proposed plat will consolidate the lots addressed 7630, 7632, 7636, and 7642 Forsyth Boulevard; 12, 14, and 20 South Hanley Road; a portion of the lot addressed 106 South Hanley Road, the vacated Carondelet Plaza right-of-way and a vacated alley. The vacation of City rights-of-way requires separate approval from the Board of Aldermen. The consolidated lot will measure 57,409 square feet (1.318 acres).

The plat is being proposed to support Phase I of the Centene Clayton Campus project.

The Plan Commission reconsidered this request at its July 5, 2016 meeting and voted unanimously to recommend approval.

Staff recommends approval of the plat as presented.

Mayor Sanger closed the public hearing.

Alderman Garnholz introduced Bill No. 6574, an Ordinance Providing for the Approval of a Plat to Consolidate Certain Property Located in the City Of Clayton, Missouri to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6574, an Ordinance Providing for the Approval of a Plat to Consolidate Certain Property Located in the City Of Clayton, Missouri for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Garnholz moved that the Board give unanimous consent to consideration for adoption of Bill No. 6574 on the day of its introduction. Alderman Winings seconded.

The motion passed unanimously on a voice vote.

Alderman Garnholz introduced Bill No. 6574, an Ordinance Providing for the Approval of a Plat to Consolidate Certain Property Located in the City Of Clayton, Missouri to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6574, an Ordinance Providing for the Approval of a Plat to Consolidate Certain Property Located in the City Of Clayton, Missouri for the second time by title only.

Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6440 of the City of Clayton.

Alderman Winings rejoined the meeting.

Other

Alderman Winings reported that the Clayton Century Foundation (CCF) recently held an Executive Board meeting and a Subcommittee discussing the list of current projects that they will be presenting to the Board of Aldermen soon, possibly at the joint meeting scheduled October 21. The CCF is currently seeking nominations for their Board and welcomes any suggestions from the Board of Aldermen. He will provide the Board with copies of the CCF nomination form.

Alderman Boulton reported on the following:

- Senior Survey - Although meetings/discussions have been delayed until after the elections due to space availability their (2) focus groups (approximately 25 people) have been moving forward. Great job working with Robyn Frankel.
- Public Arts Advisory Committee - working on recommendations for locations to place the art pieces donated by the Art Museum. Patty DeForrest and staff is working on estimates for the installation of the art pieces.
- Plan Commission/ARB – the August 1 meeting held at the Clayton High School auditorium was very well attended (approximately 342 people). Suggestion to have hard copies of the PowerPoint presentation available for the members due to the difficulty of seeing the projection screen.

Alderman Berger reported that the CRSWC held a meeting and had a very good presentation on the FY2017 Budget; expenses have been controlled significantly; concentration on marketing and sustaining membership. Ongoing work around the capital plan will be presented at a later date. Thanks to the staff for a job well done.

Alderman Berkowitz reported on the following:

CRSWC – Commended staff on a fantastic staff report. One of the focuses is on new membership and how to get it done.

CCF - Major Gifts Committee met and is focusing on looking at finding funding for projects.

Alderman Garnholz reported that they had a lively group, packed house with The Crescent residents at the Ward 2 Sunday coffee. There was also one individual from the Hanley Tower who had concerns with the Building Code requirement to sprinkle the high rise tower.

Mayor Sanger announced that the CHS Homecoming is scheduled for September 22 and encouraged the Board to participate riding the fire engine.

Mayor Sanger inquired about the Emerald Ash Borer project, Dale Houdeshell explained that there will be a combination process of saving and removing those trees.

In response to Alderman Lintz' question, Dale Houdeshell stated that there is no known cure and that overtime those "saved" trees could also be lost.

Alderman Berkowitz moved that the Board adjourn to a closed meeting, with a closed vote and record, as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, and to discuss matters related to negotiation of a contract pursuant to Section 610.021(12), RSMo. and/or proprietary information pursuant to Sec. 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO. Alderman Lintz seconded the motion.

Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye.

There being no further regular business the meeting was adjourned at 7:55 p.m.

Mayor

ATTEST:

City Clerk